A. Recommendations

THAT Council receive Staff Report PDS.20.14, Recommendation Report - K9 Balance Kennel Zoning Amendment (South Part of Lot 4, Concession 6);

AND THAT Council enact a Zoning By-law Amendment to change a portion of the property’s zone to Rural Exception (RU-120) to permit the use of Kennel.

B. Overview

This report provides a summary of an application for Zoning By-law Amendment, for the subject property known as 549035 3rd Sideroad (South Part of Lot 4, Concession 6). The application proposes to rezone a portion of the property to permit a commercial kennel on the subject lands.

C. Executive Summary

Application File #: P2831

Application Received Date: November 29, 2019

Application Deemed Complete Date: December 6, 2019

Public Meeting Date: January 13, 2020

Official Plan Designation: Rural, Wetland, Hazard

Zoning Bylaw Category: Rural (RU), Wetland (WL), Hazard (H), Holding (h1)

Location: South Part of Lot 4, Concession 6 / 549035 3rd Sideroad

The Town received an application for zoning by-law amendment. The applicants are seeking permission to establish a kennel on the property. This report summarizes the information
received at the public meeting and provides Planning Policy review of this proposal. Staff recommend approval of this application and a draft by-law is attached to this report (Attachment #2).

D. Background

The proposal is to rezone a portion of the property to add the use of kennel through a site-specific exception to the property’s Rural (RU) zone. The exception would also regulate the placement of kennel buildings and uses, limit the size of the use and number of dogs. One of the proposed kennel buildings is proposed to be located 4 metres from the property line, adjacent to 3rd Sideroad (considered the exterior side yard). The use of a shipping container for storage for the kennel is also proposed. It is noted that the kennel use and buildings are proposed to be established within the existing building cluster.

This application is the first step that is required before a kennel is established in the Town. A site plan agreement, building permits for the structures and Kennel license from the Town, is also required.

Location and Description
The subject property is known as 549035 3rd Sideroad (South Part of Lot 4, Concession 6), located on the corner of 3rd Sideroad and 6th Line. The subject property has access on 3rd Sideroad, which is dead-ended just past the driveway access on the property.

The property is approximately 39.65 hectares in area. The property has a large portion covered in trees, with some of the property in fields as seen in Figure 1.

Figure 1: Location Aerial Map
The location is a rural area, surrounded by conservation uses, farms and non-farm residences. The lands to the north are Grey Sauble Conservation Authority lands. To the south are a Grey County Forest property and a farm property. East of the subject lands is also a farm property. West of the property are two smaller residential lots, one with a dwelling; the other is vacant. It should be noted that this dwelling is the closest residential use and approximately 305 metres from the proposed Kennel use.

Figure 2: Area Proposed for Kennel

Application
This application requests to change the zoning category from the Rural (RU) zone to the Rural Exception (RU-Exception) zone, to add the use of Kennel to a portion of the property. The area proposed for the kennel (seen in Figure 2) is approximately 0.65 hectares within the existing building cluster.

The proposed kennel seeks permission to use School Portable buildings and a shipping container for outdoor storage. One school portable and a shipping container is currently existing on the property. Figure 3 shows the proposed locations of both buildings and the shipping container.

Public Meeting Summary
The Town held a public meeting on September 16, 2019 and as a result comments were received from agencies. The comments were generally supportive of the zoning amendment. No comment was received in objection to the application. Comments are summarized in Table 1.
Table 1: Comments

<table>
<thead>
<tr>
<th>Name</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>County of Grey</td>
<td>No concerns.</td>
</tr>
<tr>
<td>Grey Sauble Conservation Authority (GSCA)</td>
<td>No concerns. Area of proposed Kennel outside of Regulated Area.</td>
</tr>
<tr>
<td>Historic Saugeen Metis</td>
<td>No objection or opposition to the proposed rezoning.</td>
</tr>
<tr>
<td>Public Comments</td>
<td>One letter, received after the public meeting was supportive.</td>
</tr>
</tbody>
</table>

E. Analysis

This section provides the staff analysis on based on the relevant legislation and policies and summaries are provided in the following sections.
Planning Act
The Ontario Planning Act provides municipal Council with the authority to pass zoning by-laws, and make amendments to existing zoning by-laws, under Section 34 of the Act. The Planning Act also requires that in making planning decisions Council must have regard for matters of Provincial Interest, as outlined by Section 2 of the Act, and the Provincial Policy Statement. Council must also have regard for the policies of the Official Plan which apply to the lands. More detail is provided in the following sections of this report.

Provincial Policy Statement
The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Within the PPS framework, the subject property is located in Rural lands. On Rural lands, PPS Policies support a variety of uses, including secondary uses such as on-farm diversified uses, home occupations and home industries. The kennel is considered an on-farm diversified use; these uses must be compatible with and not hinder surrounding agricultural operations. A kennel use is not anticipated to have any impact on agricultural operations in the area as it is within the building cluster on the property and is not subject to Minimum Distance Separation.

Staff are satisfied that proposal is consistent with the intent and direction of the PPS.

Niagara Escarpment Plan
The subject property is located outside the Niagara Escarpment Plan (NEP) area and therefore the NEP does not apply.

Official Plans
County of Grey Official Plan
Comments were received from the County of Grey which were supportive of the application.

The lands are designated Rural and Hazard Lands in the County Official Plan. The proposed kennel location is outside the Hazard area.

The predominant land uses within the Rural designation is expected to be agriculture, aggregate extraction, recreation, and forestry. However policies also allow for secondary uses including on-farm diversified uses and a kennel is considered an on-farm diversified use in the County Plan (Table 7: Permitted Use Examples in Agricultural and Rural Land Use Types). The policies limit the size and scale of an on-farm diversified use to 2% of the total size of the property or a maximum combined area of the use of 8,000 square metres. In this case, 2% would be approximately 1.96 hectares. This application is smaller than the maximum size noted above, being approximately 0.65 hectares (6500 square metres).

Other criteria that must be satisfied include: that the use must not create negative off-site impacts, hinder other agricultural uses in the area, remain secondary to the primary use of the lands, meet building code requirements, and provide appropriate parking.
Given the size, location and nature of this proposed kennel, staff are satisfied that the above policies are met.

Town of The Blue Mountains 2016 Official Plan
The lands are also designated RURAL and HAZARD in the Town’s Official Plan. The policies for these designations are similar to the County Plan.

Figure 4: Official Plan Map

The Rural designation under section B4.4.3 supports the use of Commercial Dog Kennel, subject criteria under Section B 4.4.4, which states Council should be satisfied that:

- a) the size of the proposed dog kennel is appropriate for the area;
- b) the building housing the dog kennel and the associated dog runs is set back at least 100 metres from lot lines;
- c) the noise emanating from the kennel will not have an adverse impact on the enjoyment of adjacent properties;
- d) an appropriate animal waste management plan is put in place; and,
- e) an undue concentration of dog kennels does not already exist in the general vicinity of the proposed kennel.

A new dog kennel shall also be subject to a Site Plan Agreement in accordance with this Plan.

For each of these policies, staff have provided some analysis:

a) the size of the proposed dog kennel is appropriate for the area;

Staff comment: The proposed kennel at a maximum of 10 dogs and 93 square metres would be significantly smaller than the maximum size of an on-farm diversified use (up to 250 square
metres), allowed on rural properties in the Town’s zoning by-law. Home-based business uses of this size are generally compatible in a rural area.

b) the building housing the dog kennel and the associated dog runs is set back at least 100 metres from lot lines;

**Staff comment:** The purpose of this policy is to ensure appropriate separation of uses and that neighbouring uses are not negatively impacted by the kennel, for example noise from barking dogs. The proposal is to locate the kennel building 4 metres from the exterior lot line (3rd Sideroad). This location was chosen as the general location of the existing school portable building. The kennel use would also be approximately 252 metres from the front lot line (6th Line), 223 metres from the north side lot line and 997 metres from the rear lot line (see Schedule A to the draft by-law attached to this report).

Staff note that the lands across from the proposed kennel on 3rd Sideroad are Grey County forest lands. Although the proposed use would be at the lot line on the 3rd Sideroad, this appears to be appropriate, given the remote location of the property, with few residential uses in the vicinity. The use is proposed to be within the existing building cluster, rather than causing further disturbance to farmable areas.

Section E8.1 of the Official Plan provides some flexibility of Council to consider alternative setback numbers provided the intention is maintained:

This Plan is a statement of policy. It sets out Council’s land use policy direction, however, some flexibility in interpretation may be permitted provided that the intent is maintained. The Official Plan is more than a set of individual goals, objectives and policies. The Plan is intended to be read in its entirety and the relevant policies are to be applied to each situation. While specific policies sometimes refer to other policies, these cross-references do not take away from the need to read the Official Plan as a whole.

Planning Staff have noted for this application there would no benefit to requiring the kennel use to be located 100 metres from the lot line at 3rd Sideroad, since it would move the use into the farm fields or other undisturbed areas, and perhaps could be established closer to the dwellings on 6th Line. In addition, the portable nature of the kennel building means that should it be necessary in the future, the building could be moved to be further setback from the lot line. Based on the above, the location appears to meet the intent, if not the policy wording, of B4.4.4 b).

c) the noise emanating from the kennel will not have an adverse impact on the enjoyment of adjacent properties;

**Staff comment:** The remote location of the property, the scale of the kennel, and the proposed setback from the nearest dwelling of approximately 305 metres is expected to mitigate any potential noise issues. The Town’s Kennel license requirements also address noise.

d) an appropriate animal waste management plan is put in place;
Staff comment: Waste management is a matter which falls under the Kennel Licensing requirements. The establishment will need to be kept free from the accumulation of waste.

e) an undue concentration of dog kennels does not already exist in the general vicinity of the proposed kennel.

Staff comment: There does not appear to be a concentration of other kennels in the area (nearest kennel is several kilometres away).

The development is subject to Site Plan Control and requires a Site Plan Agreement prior to receiving building permits and applying for a kennel license. Based on the above analysis, Planning Staff are satisfied that the proposal conforms with the intent and direction of both the County of Grey and Town of The Blue Mountains Official Plans.

Town of The Blue Mountains Zoning By-law
The property is Zoned Rural (RU), with a small area of Hazard (H) and Wetland (WL) at the west side of the property as seen in Figure 4. The area proposed for development is well away from the H and WL zones.

Figure 5: Zoning Map

The h1 relates to the Wetland area and provides a buffer around this feature. The proposed kennel use is not near or within the h1 buffer. The h2 identifies Areas of Natural and Scientific Interest (ANSI – Life Science) and Adjacent Lands. The proposed kennel use is not near or within the h2 buffer.

The proposed zoning by-law amendment would add exception 120 to the Rural (RU) zone. The proposed exception would:

- Add the additional use of kennel
- Limit the total size of the kennel buildings to a maximum of 93 square metres
- Limit the use to 10 dogs
Committee of the Whole  
February 25, 2020  
PDS.20.14  
Page 9 of 11

- Require a front yard setback of 290 metres (at 6th Line)
- Require an exterior side yard setback of 4 metres for the existing portable building (at 3rd Sideroad)
- Allow the use of outdoor storage for the kennel use (shipping container)

The limit of 93 square metres would allow for some future expansion of the kennel buildings, without increasing beyond the limit of 10 dogs. The setbacks ensure the kennel is within the existing building cluster and reasonably setback from the neighbouring houses, lot lines and the road.

Staff note that the zoning section 4.17 notes that Kennels are expected to be at least 100 metres from a lot line. However in this situation, the remote location, lack of neighbouring residential uses and configuration of this lot make a 100 metre setback from 3rd Sideroad both unnecessary and difficult. Establishing the use in that location would impact the agricultural use of the property and be far outside the existing building cluster. Based on the above information, staff are satisfied the location proposed meets the intent of section 4.17, to ensure adequate separation of the kennel from other uses.

The proposed zoning amendment and schedule is attached to this report as Attachment #2.

Other Matters
Operations Staff comments noted the 3rd Sideroad is a class 6 road and not constructed to accommodate commercial traffic. Planning and Operations staff worked together on the draft Zoning By-law Amendment to ensure that the Kennel use would be appropriately limited in size and scale, and limits the location of buildings close to the 3rd Sideroad to the existing portable building (school portable) only. A new permanent structure would need to be constructed using the RU zone standard setbacks.

It was noted during the public meeting that this kennel has been operating without zoning approvals and that By-law Services became involved. This application is seeking to rectify that situation seeking zoning permission for the kennel. During the public meeting a question was made about whether there had been any previous complaints about this kennel from any of the neighbours. Planning Staff have confirmed with By-law Services that there have not been any complaints about the kennel.

Planning Analysis
The proposal for a commercial kennel is considered a compatible secondary use on a rural property. The location for the use within the building cluster and in this remote property location is it not anticipated there would be any negative impacts to surrounding properties.

This application is the first step required to establish a kennel on the property. The use also requires a Site Plan Control Agreement and this means a Site Plan Control Application is also required. The proposal requires building permits and a kennel license to operate, under By-law 2006-32, being a By-law to Control Dogs and Govern the Care of Animals. This by-law and
license provides more detailed regulation around how the kennel may operate, including appropriate standards and undue noise.

Staff are satisfied that the proposal is consistent with the Provincial Policy Statement, the County of Grey Official Plan, the Town of The Blue Mountains Official Plan, and represents good planning.

**F. The Blue Mountains Strategic Plan**

Goal #1: Create Opportunities for Sustainability  
Objective #3 Promote a Diversified Economy

**G. Environmental Impacts**

None.

**H. Financial Impact**

A Council Decision on this application can be appealed to the Local Planning Appeals Tribunal (LPAT). Appealed decisions of Council are subject to the LPAT process. Depending on the scope of the appeal and Town involvement in the appeal process, additional financial obligations may be required.

**I. In consultation with**

Wayne Dewitt, Supervisor, Enforcement Services and Municipal Prosecutor; Brenda Doyle, Municipal Law Enforcement Officer; Tim Murawsky, Chief Building Official; Jim McCannell, Manager of Roads and Drainage; Trevor Houghton, Manager of Community Planning; Nathan Westendorp, Director of Planning and Development Services.

**J. Public Engagement**

A Public Meeting for proposal outlined in this Staff Report took place on January 13, 2020. Those who provided comments at the Public Meeting, including anyone who has asked to receive notice regarding this matter, were given notice of this Staff Report.

Comments regarding this report should be submitted to Denise Whaley, Planner II at planning@thebluemountains.ca.

**K. Attached**

1. Comments Received  
2. Draft By-law
Respectfully submitted,

_____________________________

Denise Whaley, MSc MCIP RPP
Planner II

_____________________________

Trevor Houghton, MCIP RPP
Manager of Community Planning

_____________________________

Nathan Westendorp, RPP, MCIP
Director of Planning and Development Services

For more information, please contact:
Denise Whaley
planning@thebluemountains.ca
519-599-3131 extension 262
January 7th, 2020

Denise Whaley
Town of Blue Mountains
PO Box 310 – 32 Mill Street
Thornbury, ON
N0H 2P0
*Sent via E-mail

RE: Zoning By-law Amendment application P2831
549035 3rd Sideroad (South Part of Lot 4, Concession 6)
Town of the Blue Mountains
Applicant: Justine Perry and Josh Mudde

Dear Ms. Whaley,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP), Recolour Grey. We offer the following comments.

The applicants are seeking permission to establish a kennel on the property. The proposal is to rezone a portion of the property to add the use of “commercial kennel” through a site-specific exception to the property’s Rural (RU) zone. The exception would also regulate the placement of kennel buildings and uses, limit the size of the use and number of dogs. One of the proposed kennel buildings is proposed to be located 2 metres from the property line adjacent to 3rd Sideroad (exterior side yard). The use of a shipping container for storage for the kennel is also proposed. The kennel use and buildings are to be established close to the existing dwelling and building cluster.

Schedule A of the OP designates the subject lands as ‘Rural’. Section 5.4.1 of Recolour Grey states,

1) The Rural land use type on Schedule A shall permit all uses permitted in Section 5.2.1 of this Plan (the Agricultural land use type).
Further, Section 5.2.2 of Recolour Grey states the On-farm Diversified Use size criteria. The table states that in a property that is in the Rural designation and is 20 hectares or greater, the On-farm diversified use maximum size can be,

The lesser of;
- 2% of the total size of the property, or
- a maximum combined area of the use of 8,000 square metres

And,

16) The gross floor area of the buildings (combined total for all buildings associated with the on-farm diversified use) shall not exceed 20% of the total area of the on-farm diversified use.

The proposed on-farm diversified use meets the above noted policies, therefore County planning staff have no concerns.

Schedule A also indicates that there are ‘Hazard Lands’ on the subject property. Section 7.2 states,

2) Permitted uses in the Hazard Lands land use type are forestry and uses connected with the conservation of water, soil, wildlife and other natural resources. Other uses also permitted are agriculture, passive public parks, public utilities and resource based recreational uses. The aforementioned uses will only be permitted where site conditions are suitable and where the relevant hazard impacts have been reviewed.

Appendix B indicates that the subject property contains ‘Significant Woodlands’. Section 7.4 of Recolour Grey states,

1) No development or site alteration may occur within Significant Woodlands or their adjacent lands unless it has been demonstrated through an environmental impact study, as per Section 7.11 of this Plan, that there will be no negative impacts on the natural features or their ecological functions.

Appendix B also indicates that there are ‘Areas of Natural and Scientific Interest (ANSIs)’ adjacent to the subject property. Section 7.6 states,

1) No development or site alteration may occur within Areas of Natural and Scientific Interest or their adjacent lands unless it has been demonstrated through an environmental impact study that there will be no negative impacts on the natural features or their ecological functions. The adjacent lands are defined in Section 9.18 of this Plan.
The proposed development is temporary in nature and will be located outside of the above noted natural features, therefore County planning staff have no concerns.

The County requests notice of any decision rendered with respect to this application.

If you wish to discuss this matter further, please do not hesitate to contact me.

Yours truly,

Hiba Hussain
Planner

www.grey.ca
January 9, 2020
GSCA File: P19565

Town of the Blue Mountains
32 Mill St. Box 310
Thornbury, ON
N0H 2P0

Attn: Corrina Giles
   Town Clerk
townclerk@thebluemountains.ca

Dear Corrina Giles,

Re: Application for Zoning Amendment; P2831
   Part Lots 4, Concession 6; 549035 3rd Sideroad
   Town of the Blue Mountains, formerly Collingwood Township
   Applicant: Justine Perry & Josh Mudde

Staff has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2014) and as a regulatory authority under Ontario Regulation 151/06. Grey Sauble Conservation Authority (GSCA) has also provided comments as per our Memorandum of Agreement (MOA) with the Town of The Blue Mountains representing their interests regarding natural heritage and water identified in Sections 2.1 and 2.2 respectively, of the Provincial Policy Statement. The application has also been reviewed through our role as a public body under the Planning Act as per our CA Board approved policies. Finally, GSCA has provided advisory comments related to policy applicability and to assist with implementation of the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan under the Clean Water Act.

GSCA staff has reviewed the above-noted application to rezone a portion of the property to add the use of “commercial kennel” through a site-specific exception to the property’s Rural (RU) zone.
Documents Reviewed

Staff have reviewed the following documents submitted with this application:

- Application for Zoning By-law Amendment, prepared by Joshua Mudde and Justine Perry, prepared on 28 November 2019, received by GSCA December 20, 2019.

Site Characteristics

Existing mapping indicates that the subject property is;
- regulated under Ontario Regulation 151/06;
- Currently designated as Rural and Hazard Lands under the Grey County Official Plan and Rural (RU) and Hazard (H) under the Town of The Blue Mountains Comprehensive Zoning By-law, with an h1 Provision for the presence of a wetland; and
- Is not located within an area that is subject to the policies contained in the Source Protection Plan.

Delegated Responsibility and Statutory Comments

1. GSCA has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement.

The subject property does contain natural hazards as identified in Section 3.1 of the Provincial Policy Statement. This is associated with the wetland feature located at the far west property boundary along 6th Line. This proposal does not have any development proposed within this hazard feature. As such, it is the opinion of the GSCA that the application is consistent with Section 3.1 policies of the PPS.

2. GSCA has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 151/06. This regulation, made under Section 28 of the Conservation Authorities Act, enables conservation authorities to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Development taking place on these lands may require permission from the conservation authority to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. GSCA also regulates the alteration to or interference in any way with a watercourse or wetland.

A portion of the subject site is regulated under Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses
administered by the GSCA. The regulated areas are associated with the wetland feature at the western property boundary.

The regulated areas are generally indicated on the attached map.

The current proposal is not located within this regulated area, as such a permit will not be required from our office.

Advisory Comments

3. GSCA has reviewed the application through our responsibilities as a service provider to the Town of The Blue Mountains in that we provide comment on natural heritage features under Section 2.1 of the Provincial Policy Statement and on water under Section 2.2 of the Provincial Policy Statement through a MOA.

2.1 Natural Heritage

The natural heritage features identified on the property include significant woodland as mapped in the County of Grey Official Plan, the potential for significant wildlife habitat associated with the wetland on the property and a provincially significant area of natural and scientific interest (ANSI), referred to as the Gibraltar Moraine ANSI. The following policies under the provincial policy statement (PPS) would need to be considered. We have provided comments on the applicable policies.

2.1.5 Development and site alteration shall not be permitted in:
   a) significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E
   b) significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)
   c) significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)
   d) significant wildlife habitat;
   e) significant areas of natural and scientific interest; and
   f) coastal wetlands in Ecoregions 5E, 6E and 7E that are not subject to policy 2.1.4(b) unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

GSCA Comment: Portions of the property have been identified as containing significant woodlands as per the County of Grey Official Plan. In this application the proposal is occurring in the area around the existing structures which are all greater than 100-metres away from the nearest identified significant woodland feature on the property.
This proposal is also occurring approximately 200-metres away from the identified wetland on the eastern boundary of the property. Given this setback, no further negative impacts are anticipated to occur to this feature or its ecological function as a result of this application.

The Gibraltar Moraine ANSI covers the eastern portion of this property, and it has been identified as a provincially significant Earth Science ANSI by the Ministry of Natural Resources and Forestry. The identification of this earth science ANSI confirms the significance of these features and their contribution to provincial geological diversity. This proposal is located well outside of the 50-metre setback from earth science ANSI features.

2.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

**GSCA Comment:** This lot is also adjacent to significant woodland as mapped in the County of Grey Official Plan. The woodland is located south of the property and is separated from the subject property by 3rd Sideroad. Given the existing development on the subject property and the existence of the road division between this lot and the next lot, and the nature of the proposal, we are of the opinion that no further negative impacts are anticipated to occur as a result of this application.

GSCA is of the opinion that no negative impacts are anticipated to occur to the significant natural heritage features present on the property as a result of this application and consistency with Section 2.1 of the PPS has been met.

**2.2 Water**

Given the minor increase in impervious area proposed through this application, and the significant distance between any surface water features and this proposal, GSCA is of the opinion that consistency with Section 2.2 of the PPS has been met.

**4. GSCA has reviewed the application in terms of the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan, prepared under the Clean Water Act, 2006. The Source Protection Plan came into effect on July 1st, 2016 and contains policies to protect sources of municipal drinking water from existing and future land use activities.**

The subject property is not located within an area that is subject to the local Source Protection Plan.
Summary

Given the above comments, it is the opinion of the GSCA that:

1. Consistency with Section 3.1 of the PPS has been demonstrated;
2. Ontario Regulation 151/06 does apply to the area proposed for re-zoning. A permit from GSCA will not be required prior to any development or site alteration taking place in the re-zoned area;
3. Consistency with Sections 2.1 and 2.2 of the PPS has been demonstrated;
4. The subject site is not located within an area that is subject to the policies contained in the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan.

Recommendation

GSCA has no objection to the approval of application P2831.

Please inform this office of any decision made by the Town of The Blue Mountains with regard to this application. We respectfully request to receive a copy of the decision and notice of any appeals filed.

Should you have any questions, please contact the undersigned.

Sincerely,

Justine Lunt
Environmental Planner, Environmental Planning and Regulations

Encl:

c.c. K9 Balance, Applicant
Denise Whaley, Town of The Blue Mountains
Andrea Matrosovs, GSCA Director
GSCA: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (Ontario Regulation 151/06)

Watercourse (Approx.)
Natural Hazard Area (Approx.)
Subject Property (Approx.)
ON Parcels (Approx.)
ON Reg. 151/06 (Approx.)
Good morning Mr. Hachey,

I acknowledge receipt of your comments in response to the January 13, 2020 Public Meeting Notice and confirm I have forwarded the same to Council for their information and consideration. Your comments will be included in the record of the January 13 Public Meeting, and attached to a followup staff report regarding this matter.

Kind regards,

Corrina Giles, CMO
Town Clerk
Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON N0H 2P0
Tel: 519-599-3131 | Fax: 519-599-7723
Email: | Website: www.thebluemountains.ca

From: Chris Hachey <hsmasstrcc@bmts.com>
Sent: Friday, December 20, 2019 9:34 AM
To: Town Clerk <townclerk@thebluemountains.ca>
Subject: Request for Comments - Blue Mountains (K9 Balance Kennel) - Proposed Zoning By-law Amendment

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Your File: P2831
Our File: Town of Blue Mountains Municipality

Ms. Giles,

The Historic Saugeen Métis (HSM) Lands, Resources and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed development, land re-designation, zoning, land severance, Official plan and/or Zoning By-law Amendments.

Thank you for the opportunity to review this matter.
Regards,

Chris Hachey

Coordinator, Lands, Resources and Consultation
Historic Saugeen Métis
204 High Street
Southampton, Ontario, N0H 2L0

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Dear Denise,

My name is Staunton Bowen and [redacted].

This email is in regards to File P2831 - K9 Balance Kennel Application for Zoning Amendment.

I write today to let you know that I understand the scope and scale of the bylaw amendment application that has been submitted by Josh Mudde/Justine Perry of K9 Balance Training and Rehabilitation.

I have spoken with Josh Mudde and have no issues with the plan. I fully understand their intentions and I support their planning for rezoning.

On a separate note, I know that safety is of utmost importance to K9 Balance Training and I can attest to the fact I have never seen or heard any dogs from their property, unless I've been with them in their driveway.

Please let me know if you require any further information from me.

Cheers,

Staunton Bowen
Draft

The Corporation of the Town of The Blue Mountains

By-Law Number 2020 –

Being a By-law to amend Zoning By-law No. 2018-65 which may be cited as "The Blue Mountains Zoning By-law"

Whereas the Council of The Corporation of the Town of The Blue Mountains deems it necessary in the public interest to pass a by-law to amend By-law No. 2018-65;

And Whereas pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990, c. P.13, the By-law may be amended by Council of the Municipality;

Now Therefore Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. That Schedule A, Map 5 is amended by changing the zoning symbol for a portion of the lands known as South Part of Lot 4, Concession 6 (formerly the Township of Collingwood) from the Rural (RU) Zone to the Rural Exception 120 (RU-120) Zone, as shown on the attached Schedule ‘A-1’.

2. That Part 9.1 Exceptions is amended by adding the following new exception:

<table>
<thead>
<tr>
<th>Exception Number</th>
<th>Zone</th>
<th>Special Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>120</td>
<td>RU-120</td>
<td>The lands zoned RU-120 are also permitted a Kennel use, subject to section 4.17, except for the following:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Maximum Floor Area of Kennel Buildings (not including any outdoor exercise area or pens) 93 sq m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Maximum Number of Dogs 10</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Minimum Front Yard setback for Kennel uses (at 6th Line) 290 m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Minimum Exterior Side Yard setback for an existing portable Kennel Building (at 3rd Sideroad) 4 m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Outdoor Storage is also permitted for the Kennel use RU-120 zoned Area 0.65 ha</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(Part of Lot 4, Concession 6)</td>
</tr>
</tbody>
</table>

3. That Schedule ‘A-1’ is declared to form part of this By-law.

And Further that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this ____ day of ___, 2020

______________________________
Alar Soever, Mayor
I hereby certify that the foregoing is a true copy of By-law No. 2020-___ as enacted by the Council of The Corporation of the Town of The Blue Mountains on the ___ day of ________, 2020.

Dated at the Town of The Blue Mountains, this ____ day of _____, 2020.

Corrina Giles, Clerk
Town of The Blue Mountains
Schedule 'A-1'

By-Law No.___________

Legend

- Subject Lands of this Amendment
- Area to be rezoned from RU to RU-120

Date: 1/24/2020